



**CITY OF GARDNER  
CONSERVATION COMMISSION**

Gardner City Hall – Manca Annex  
115 Pleasant St., Room 202

978-630-4014

Gardner, MA 01440

fax 978-632-1905

**MEETING**

**Monday, April 25, 2016 at 6:30 p.m.**

**CITY HALL ANNEX**

**SECOND FLOOR MEETING ROOM 203**

ANNOUNCEMENT - Any person may make a video or audio recording of an open session of a meeting, or may transmit the meeting through any medium, subject to reasonable requirements of the Chair as to the number, placement and operation of equipment used so as not to interfere with the conduct of the meeting. Any person intending to make such recording shall notify the Chair forthwith. All Documents referenced or used during the meeting must be submitted in duplicate to the Conservation Agent for the Conservation Commission. All documents shall become part of the official record of the meeting.

**AGENDA**

**PUBLIC HEARINGS**

The Gardner Conservation Commission will hold a joint Public Hearing under MGL, Ch. 131, § 40, Wetlands Protection Act and the City of Gardner Wetlands Protection Ordinance on the Notice of Intent filed by Jamison Van Dyke, 252 Goddard Road, Rindge, NH, for construction of a new Single Family Home at Timpany Boulevard (R07-11-4). The proposed work will include the construction of a new home and associated septic system, well, and site grading. The project involves work within the 100-foot buffer zone of a Wetland Resource Area, Bordering Vegetated Wetlands. The home and septic system will be located outside of the 60-foot 'No Build' zone with some associated site grading to occur up to approximately 55-feet from the wetland. No work will occur within the 30-foot 'No Disturb' zone. An Order of Conditions was previously issued for this site which has since expired.

The meeting will be held at  
6:30 p.m., Meeting Room 203,  
2<sup>nd</sup> Floor, City Hall Annex, on Monday, April 25, 2016

The Gardner Conservation Commission will hold a joint Public Hearing under MGL, Ch. 131, § 40, Wetlands Protection Act and the City of Gardner Wetlands Protection Ordinance on the Notice of Intent filed by Nelson Austin, 14 Watkins Street, for construction of a new addition to an existing bathroom at 14 Watkins Street. The proposed work will include the construction of a new addition approximately 7-feet x 8-feet. The project involves work within the 100-foot buffer zone of a Wetland Resource Area, the bank of Parker Pond. The addition will be located outside of the 60-foot 'No Build' zone. No work will occur within the 30-foot 'No Disturb' zone.

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The Gardner Conservation Commission will hold a joint Public Hearing under MGL, Ch. 131, § 40, Wetlands Protection Act and the City of Gardner Wetlands Protection Ordinance on the Notice of Intent filed by Conrad Donell, 106 Lancaster Road, Shirley, MA, for remediation of a Wetland and Certified Vernal Pool and its associated protective buffer zone as required by an enforcement order issued by the Gardner Conservation Commission under the Gardner Wetlands Protection Ordinance (City Code 650). The proposed work will include the restoration of 5,483 square feet of disturbed wetland area and Certified Vernal Pool habitat and the entire 100-foot "No Disturb" protective zone. The work will consist of re-planting native vegetation and any necessary physical and biological soil remediation required or necessary to restore the original function and values. The vegetation within and adjacent to the wetland, Certified Vernal Pool, and the buffer zone were cut in violation of an existing Order of Conditions (DEP #160-0511) and the Gardner Wetlands Protection Ordinance (City Code 650).

The meeting will be held at  
6:30 p.m., Meeting Room 203,  
2<sup>nd</sup> Floor, City Hall Annex, on Monday, April 25, 2016

Greg Dumas, Chairman  
Gardner Conservation Commission

## **MEETING**

### **Presentations**

None

### **Minutes**

Vote to Approve Minutes of the Meeting of *April 11, 2016*.

### **Request for Determination of Applicability**

1. The Gardner Conservation Commission will resume the joint Public Meeting under MGL, Ch. 131, § 40, Wetlands Protection Act and the City of Gardner Wetlands Protection Ordinance on the **Request for Determination of Applicability** filed by **Pan Am Railways**, represented by Keith Morris, Environmental Consultant, related to work located along the Pan Am Railways Right-of-Way, to be conducted under a Vegetation Management Plan (VMP). The Commission shall determine whether the boundaries of resource areas depicted on the plan and/or maps are accurately delineated. Continued from the meeting of April 11, 2016.
2. The Gardner Conservation Commission will hold a joint Public Meeting under MGL, Ch. 131, § 40, Wetlands Protection Act and the City of Gardner Wetlands Protection Ordinance on the **Request for Determination of Applicability** filed by **City of Gardner DPW**, for work at Fredette Street and Wilkins Road and within the Buffer Zone of a Bordering Vegetated Wetland. The work will consist of maintenance of existing drainage swales and trenches through removal of accumulated sand and sediments, regrading, revegetating swales and relining trenches with gravel or tailings.
3. The Gardner Conservation Commission will hold a joint Public Meeting under MGL, Ch. 131, § 40, Wetlands Protection Act and the City of Gardner Wetlands Protection Ordinance on the **Request for Determination of Applicability** filed by **Nick Troiano, 48 Sylvan Rd.**, for work at 48 Sylvan Rd. and within the Buffer Zone of a Bordering Vegetated Wetland. The work will consist of extension of an existing patio and construction of a shed.

### **Enforcement Order**

Sunshine Realty Trust, Conrad Donell Trustee, Sapphire Park at Pearl Street and Shawn Avenue (*Continued from Meeting of April 11, 2016*):

- Status Update: Notice of Intent – Vernal Pool Violation Remediation
- Peer Review – Phase II

### **Emergency Certification**

736 Clark Street – Septic System Repair/Replacement (per 310 CMR 10.06)

**New Business**

- Upcoming projects and WPA Filings
- Conservation Grant Applications – Status Updates
- Report of possible work within wetlands - 804 Whitney Street

**Old Business**

- Pitcherville Road, Hubbardston – Non-hazardous fill (potential project)

*NOTICE: These Agenda items consist of items that are reasonably anticipated by the Chair to be discussed at the meeting and are specifically allowed to be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.*

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Agent of the Conservation Commission